



A BILL FOR AN ORDINANCE

RELATING TO REAL PROPERTY TAX EXEMPTIONS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to refine the requirements for reporting that an owner of certain tax exempt real property ceases or will cease to qualify for the exemption.

SECTION 2. Section 8-10.1, Revised Ordinances of Honolulu 1990 ("Claims for certain exemptions"), as amended, is amended by amending subsection (d) to read as follow:

"(d) The owner of any property which has been allowed an exemption under Sections 8-10.4, 8-10.6 through 8-10.10, 8-10.24, 8-10.27, 8-10.29, 8-10.32, or 8-10.33 has a duty to report to the assessor [within 30 days after] if such owner or property ceases to qualify for such an exemption, [for, among others, the following reasons:

- (1) The ownership of the property has changed;
 - (2) A change in the facts previously reported has occurred concerning the occupation, use or renting of the premises, buildings or other improvements thereon; or
 - (3) A change in status has occurred which affects the owner's exemption.]
- (1) Such report is due to the assessor prior to a transfer of ownership or closing of the sale of the property if the owner or property ceases to qualify for the exemption because of an anticipated change in ownership of the property.
 - (2) Such report is due within 30 days after the owner or property ceases to qualify for the exemption if the owner or property ceases to qualify for the exemption because a change in the facts previously reported has occurred concerning the occupation, use or renting of the premises, buildings or other improvements thereon or a change in status has occurred which affects the owner's exemption.



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- (3) Such report [shall] will have the effect of voiding the claim for exemption previously filed, as provided in subsection (b)(4) of this section. The report [shall be] is sufficient if it identifies the property involved, states the change in facts or status, and requests that the claim for exemption previously filed be voided.
- (4) In the event the property comes into the hands of a fiduciary who is answerable as provided for by this chapter, the fiduciary shall make the report required by this subsection within 30 days after the assumption of the fiduciary's duties or within the time otherwise required, whichever is later.
- (5) A penalty [shall] must be imposed if the change in facts occurred in the 12 months ending September 30th preceding the tax year for which an exemption is to take effect and the report required by this subsection is not filed by the immediately following November 1st. The amount of the penalty [shall be] is \$300 imposed on the November 2nd preceding the tax year for which the owner or the property no longer qualifies for the exemption and on November 2nd for each year thereafter that the change in facts remains unreported. In addition to this penalty, the taxes due on the property plus any additional penalties and interest thereon [shall] will be a paramount lien on the property as provided for by this chapter."

SECTION 3. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material, or the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 38 (2015)

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SECTION 4. This ordinance takes effect upon approval.

INTRODUCED BY:

[Handwritten signature: M. I. C. 45]

DATE OF INTRODUCTION:

APR 13 2015

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 2014.

KIRK CALDWELL, Mayor
City and County of Honolulu

FILED
APR 13 2017
PURSUANT TO ROH Sec. 1-2.4